

AMENDED

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... FEB 27 1990
Returned to applicant for correction..... MAR 28 1990
Corrected application filed..... JUL 10 1990
Map filed..... JUL 23 1990

The applicant..... U.S.D.I. - Bureau of Land Management
.....
2545 Riverside Drive....., of..... Susanville.....
Street and No. or P.O. Box No. City or Town
California 96130....., hereby make... application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.).....

1. The source of the proposed appropriation is..... Smoke Creek.....
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is..... 5 CFS.....second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet.....
3. The water to be used for..... Public Recreation and Wildlife.....
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
(a) Irrigation, state number of acres to be irrigated.....
(b) Stockwater, state number and kinds of animals to be watered.....
(c) Other use (describe fully under "No. 12. Remarks")..... X
(d) Power:
(1) Horsepower developed.....
(2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point..... The SW 1/4 of the SE 1/4 Section 15;
Describe as being within a 40-acre subdivision of public
T.31N., R.18E., M.D.B.&M. from which the South 1/4 corner of said Section 15
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
bears S 89° 29' W; . 558.44 feet
6. Place of use..... see attached sheet.....
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
7. Use will begin about..... January 1..... and end about..... December 31....., of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.)..... N/A
State manner in which water is to be diverted, i.e. diversion structure, ditches and
flumes, drilled well with pump and motor, etc.
9. Estimated cost of works..... N/A

10. Estimated time required to construct works..... N/A
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 1 year from filing of application

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This area is used by recreationists for hunting, hiking, sightseeing and camping. The Dry Valley Wilderness Study Area, in which Smoke Creek is a part, also draws recreationists. Water is needed in the Creek in order to comply with Wilderness Study Area Interim Management Policy Guidelines. Water is to be used by wintering and summering deer and antelope (500-1000), wild horses and burros (100), upland game birds, fish and other wildlife. Water is needed to maintain riparian vegetation (willows, rose) critical to the above in order to comply with Federal Land Management Policy.

By s/Donald W. Wannebo
Donald W. Wannebo Water Right Surveyor No. 839
2545 Riverside Drive
Susanville, CA 96130

Compared bc/se am/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 5.0 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is considered to be largely non-consumptive and the entire natural flow shall exit the place of use undiverted.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 5.0cubic feet per second:-

Work must be prosecuted with reasonable diligence and be completed on or before..... February 1, 1992

Proof of completion of work shall be filed on or before..... March 1, 1992

Application of water to beneficial use shall be made on or before..... February 1, 1994

Proof of the application of water to beneficial use shall be filed on or before..... March 1, 1994

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... JUL 11 1991 IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed..... MAR 02 1998 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this..... 1stday of..... February

Cultural map filed.....

Certificate No. 14970 Issued JUL 13 1998 A.D. 19 91

R. Michael Turnipseed
State Engineer

Beginning at a point on the South line of Section 15, T.31N., R.18E. MDB&M referred to as place of use and point of beginning; from which the South 1/4 corner of Section 15 bears S 89° 29' W, 558.44 feet. Then down the Smoke Creek with its meanders in a southeasterly course into unsurveyed lands, described from a protraction diagram as the East 1/4 of Section 23; then through the NE1/4 of the NE 1/4 of Section 26, then through the following sectional subdivisions of Section 25; the NW 1/4 of the NW 1/4, SW1/4 of the NW1/4, SE1/4 of the NW1/4, then the SW1/4 of the NE1/4, the NW1/4 of the SE1/4, the SW1/4 of the SE1/4; SE1/4 of the SE 1/4; then the NE1/4 of the NE1/4 Section 36; then through the following subdivisions of Section 31; T.31N., R.19E., NW1/4 of the NW1/4, the NE1/4 of the NW1/4, the SE1/4 of the NW1/4, the NE1/4 of the SW1/4 to the point of ending on the North-South center line of Section 31 from which the South S1/4 corner bears S 00° 06' 53" E, 2255.87 feet.

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